



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/075,795

02/13/2002

Donald W. Bryan

T9742

9196

20449 7590
KARL R CANNON
PO BOX 1909
SANDY, UT 84091

12/19/2006

EXAMINER

COMSTOCK, DAVID C

ART UNIT

PAPER NUMBER

3733

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
--	-----------	---------------

3 MONTHS

12/19/2006

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

NT

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

10/075, 795

EXAMINER

ART UNIT

PAPER

20061211

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply filed on 25 September 2006 is not fully responsive to the outstanding election requirement mailed on 08 November 2005 because of the following omission(s) or matter(s):

Applicant must include an identification of the species that is elected consonant with the election requirement, and a listing of all claims readable thereon, including any claims subsequently added. In Applicant's election, it was asserted that "at least claims 1-19, 144, 160, 161, 169-174 and 191-192 are generic to Figures 2, 2A, 2B, and 2C, of which claims 1, 144, and 160 are independent." However, an argument simply that a claim is allowable or generic is considered nonresponsive unless accompanied by an election and a listing of the claims readable thereon. Moreover, Applicant's alternative election of thirty claims pursuant to the rejection under 35 USC 112 is not tantamount to a listing of claims readable on the elected species. It is further noted that Applicant's response filed 25 September 2006 satisfied the requirement for information and the rejection under 35 USC 112 accordingly has been withdrawn. However, Applicant has not yet provided a listing of the claims that are readable upon the elected species of the outstanding election requirement.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

EDUARDO C. ROBERT
SUPERVISORY PATENT EXAMINER